

Application No.: 09/648,557
Applicants: Devaux, C., et al.

Docket No.: 1017753-000152
Filing Date: 08/25/2000

Examiner's Amendment

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

The application has been amended as follows:

- Please amend the TITLE to read as follows: Antiviral peptides obtained from the tryptophan-rich hydrophobic cluster of the HIV-1 reverse transcriptase.

Status of the Claims

Acknowledgement is hereby made of receipt and entry of the amendment submitted 24 September, 2009. Claims 31-42 and 45-53 are pending in the instant application.

35 U.S.C. § 112, Second Paragraph

The following is a quotation of the second paragraph of 35 U.S.C. § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The previous rejection of claim 42 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, is hereby withdrawn in response to applicants' amendment.

35 U.S.C. § 103(a)

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The previous rejection of claims 31-38 under 35 U.S.C. § 103(a) as being unpatentable over Divita *et al.* (1995) in view of Bolognesi *et al.* (1995) and Korber *et al.* (1998), is hereby withdrawn in response to applicants' amendment and arguments.

The previous rejection of claims 39-42 under 35 U.S.C. § 103(a) as being unpatentable over Divita *et al.* (1995) in view of Bolognesi *et al.* (1997) and Korber *et al.* (1998), as applied *supra* to claims 31-38, and further in view of Morris *et al.* (1997), is hereby withdrawn in response to applicants' amendment and arguments.

The previous rejection of claims 45-53 under 35 U.S.C. § 103(a) as being unpatentable over Divita *et al.* (1995) in view of Bolognesi *et al.* (1997), Korber *et al.* (1998), and Morris *et al.* (1997), is hereby withdrawn in response to applicants' amendment and arguments.

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Allowable Subject Matter

Claims 31-42 and 45-53 appear to be free of the prior art of record and are allowable.

Correspondence

Any inquiry concerning this communication should be directed to Jeffrey S. Parkin, Ph.D., whose telephone number is (571) 272-0908. The examiner can normally be reached Monday through Thursday from 10:30 AM to 9:00 PM. A message may be left on the examiner's voice mail service. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Patrick J. Nolan, can be reached at (571) 272-0847. Direct general status inquiries to the Technology Center 1600 receptionist at (571) 272-1600. Informal communications may be submitted to the Examiner's RightFAX account at (571) 273-0908.

Applicants are reminded that the United States Patent and Trademark Office (Office) requires most patent related correspondence to be: a) faxed to the Central FAX number (571-273-8300) (updated as of July 15, 2005), b) hand carried or delivered to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 C.F.R. § 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System. This notice replaces all prior Office notices specifying a specific fax number or hand carry address for certain patent related correspondence. For further information refer to the Updated Notice of Centralized Delivery and Facsimile Transmission Policy for Patent Related Correspondence, and Exceptions Thereto, 1292 Off. Gaz. Pat. Office 186 (March 29, 2005).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Respectfully,

/Jeffrey S. Parkin/
Primary Examiner, Art Unit 1648

22 March, 2010